

FILED  
U.S. DISTRICT COURT  
DISTRICT OF WYOMING

United States District Court  
For The District of Wyoming

FEB 12 2016  
9:40 AM  
Stephan Harris, Clerk  
Cheyenne

UNITED STATES OF AMERICA,

v.

ORDER SETTING  
CONDITIONS OF RELEASE

GILBERT WAYNE WILES, JR..

Case Number: 16-CR-19-J-02

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing of any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear at Cheyenne, Wyoming (Courtroom No. 2) on April 18, 2016 at 1:30 p.m.

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of Ten Thousand dollars (\$10,000.00) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

### **Additional Conditions of Release**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED the release of the defendant is subject to the conditions marked below:

**(6) The defendant shall:**

- reside at 3025 Umatilla, Denver, Colorado, and he shall not move from that residence unless he has received prior permission from the U.S. Probation Office.
- report to the U.S. Probation/Pretrial Services Office as directed. Defendant will also contact USPO - Colorado no later than 5:00 p.m. on 2/12/2016.
- refrain from the excessive use of alcohol and/or other intoxicants including over the counter medications used contrary to the recommended dosage, or the intentional inhalation of any substance, prescribed or otherwise, without the permission of the probation officer.
- refrain from the use or unlawful possession of a narcotic drug or other controlled substance defined in 21 U.S.C. 802, unless prescribed by a licensed medical practitioner.
- submit to drug and alcohol testing as directed by the U.S. Probation Office. The defendant shall not obstruct or attempt to obstruct or tamper with, in any fashion, the collection, efficiency and accuracy of any substance abuse testing which is required as a condition of release.
- not have any contact with the co-defendant or any potential witness in this case.
- not travel outside of the District of Colorado unless it is travel to the District of Wyoming for court appearances or to meet with his attorney.
- continue his full-time employment. He shall provide documentation of his employment to his probation officer.
- use, purchase or possess a firearm or other dangerous weapon. shall not operate an unregistered aircraft during the pendency of this case. If he is planning on flying in the District of Colorado, he shall provide his probation officer with his flight plan.
- not attempt to obtain a passport while this case is pending.

## Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401, which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror, or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years imprisonment and a \$250,000 fine to tamper with a witness, victim, or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

## Acknowledgment of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

  
Signature of Defendant

  
Denver CO 80211

City/State/Zip

## Direction to United States Marshal

- The defendant is ORDERED released after processing.

Date: February 12, 2016

  
Kelly H. Rankin, Chief United States Magistrate Judge